

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF WASHINGTON

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name TOS Wheels and Tires, LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 81-1002900

4. Debtor's address Principal place of business Mailing address, if different from principal place of business
17208 Bothell Way NE, Suite D Bothell, WA 98011-1954
Number, Street, City, State & ZIP Code P.O. Box, Number, Street, City, State & ZIP Code
King Location of principal assets, if different from principal place of business
County Number, Street, City, State & ZIP Code

5. Debtor's website (URL) www.toswheelsandtires.com

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

7. Describe debtor's business A. Check one:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))

☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))

☐ Railroad (as defined in 11 U.S.C. § 101(44))

☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))

☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))

☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))

☒ None of the above

B. Check all that apply

☐ Tax-exempt entity (as described in 26 U.S.C. §501)

☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)

☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4413

8. Under which chapter of the Bankruptcy Code is the debtor filing? Check one:

☐ Chapter 7

☐ Chapter 9

☒ Chapter 11. Check all that apply:

☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).

☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.

☐ A plan is being filed with this petition.

☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.

☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No.

☐ Yes.

If more than 2 cases, attach a separate list.

| District | When | Case number |
|----------|------|-------------|
| District | When | Case number |

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

11. Why is the case filed in this district? Check all that apply:
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds Check one:
- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input checked="" type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities
- | | | |
|---|---|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
|---|---|--|

Debtor

TOS Wheels and Tires, LLC

Name

Case number (if known)

☐ \$50,001 - \$100,000

☒ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **October 5, 2024**
MM / DD / YYYY

X /s/ Oliver Mogollan
Signature of authorized representative of debtor

Title **Managing Member**

Oliver Mogollan
Printed name

18. Signature of attorney

X /s/ Jennifer L. Neeleman
Signature of attorney for debtor

Date **October 5, 2024**
MM / DD / YYYY

Jennifer L. Neeleman 37374
Printed name

Neeleman Law Group, P.C.
Firm name

**1403 8th Street
Marysville, WA 98270**
Number, Street, City, State & ZIP Code

Contact phone **(425) 212-4800** Email address **courtmail@expresslaw.com**

37374 WA
Bar number and State

Fill in this information to identify the case:

Debtor name **TOS Wheels and Tires, LLC**
United States Bankruptcy Court for the: **WESTERN DISTRICT OF WASHINGTON**
Case number (if known): _____

☐ Check if this is an
amended filing

Official Form 204**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

| Name of creditor and complete mailing address, including zip code | Name, telephone number and email address of creditor contact | Nature of claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|--|--|---|--|--|---|-----------------|
| | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| Chase P.O. Box 78039 Phoenix, AZ 85062-8039 | | Line of Credit | | | | \$109,499.80 |
| Chase P.O. Box 6294 Carol Stream, IL 60197-6294 | | Credit Card | | | | \$95,794.15 |
| Mercedes-Benz Financial P.O. Box 5209 Carol Stream, IL 60197-5208 | | Mercedes | | \$66,143.55 | \$52,900.00 | \$13,243.55 |
| Northwest Sales Group P.O. Box 80364 Seattle, WA 98108 | | Supplies | | | | \$4,821.06 |
| WA Department of Revenue 2101 4th Ave, Ste 1400 Seattle, WA 98121 | | Taxes | | | | \$49,582.95 |
| WA Dept of L & I PO Box 44000 Olympia, WA 98504-4000 | | Taxes | | | | \$20,733.32 |
| WA Employment Security Dept PO Box 34949 Seattle, WA 98124-1949 | | Taxes | | | | \$393.73 |

ATTORNEY GENERAL FOR WA STATE
BANKRUPTCY & COLLECTIONS UNIT
800 FIFTH AVE, 20TH FLOOR
SEATTLE, WA 98104

CHASE
P.O. BOX 78039
PHOENIX, AZ 85062-8039

CHASE
P.O. BOX 6294
CAROL STREAM, IL 60197-6294

GREAT AMERICAN FINANCE

HEADWAY CAPITAL
175 W JACKSON BLVD, STE 1000
CHICAGO, IL 60604

IRS
CENTRALIZED INSOLVENCY
P.O. BOX 7346
PHILADELPHIA, PA 19101-7346

MERCEDES-BENZ FINANCIAL
P.O. BOX 5209
CAROL STREAM, IL 60197-5208

NORTHWEST SALES GROUP
P.O. BOX 80364
SEATTLE, WA 98108

UNITED STATES ATTORNEYS OFFICE
ATTN: BANKRUPTCY ASSISTANT
700 STEWART STREET, ROOM 5220
SEATTLE, WA 98101

WA DEPARTMENT OF REVENUE
2101 4TH AVE, STE 1400
SEATTLE, WA 98121

WA DEPT OF L & I
PO BOX 44000
OLYMPIA, WA 98504-4000

WA EMPLOYMENT SECURITY DEPT
PO BOX 34949
SEATTLE, WA 98124-1949

**United States Bankruptcy Court
Western District of Washington**

In re **TOS Wheels and Tires, LLC**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **TOS Wheels and Tires, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

October 5, 2024

Date

/s/ Jennifer L. Neeleman

Jennifer L. Neeleman 37374

Signature of Attorney or Litigant

Counsel for **TOS Wheels and Tires, LLC**

Neeleman Law Group, P.C.

1403 8th Street

Marysville, WA 98270

(425) 212-4800 Fax: (425) 212-4802

courtmail@expresslaw.com